



CITY OF SEATTLE 2011 STATE LEGISLATIVE BULLETIN

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Weekly Overview

This week was dominated by the revenue forecast and committee hearings. The March revenue forecast was released on Thursday and unfortunately contained more bad news for the state budget. The state's revenues are forecast to be down another \$780 million, deepening the state's budget deficit. \$80 million of this lost revenue is in this fiscal year, bringing the total deficit for the year ending June 30th to over \$200 million, and the remaining \$700 million is in the next biennium, bringing the budget deficit for the 2011-2013 biennium to over \$5 billion.

Under the cloud of the budget forecast, policy committees were busy holding hearings on bills from the opposite chamber, and the City participated in hearings on several priority bills. On Tuesday, March 15th, Councilmember Sally Clark testified before the House Transportation Committee in support of the short-term transit funding bill. On Wednesday, Councilmember Tim Burgess and City Attorney Pete Holmes presented at a House Ways & Means work session on the impacts of legalizing marijuana. Representatives from several City departments testified throughout the week, including the Department of Planning and Development, Seattle Police Department, Finance and Administration, and Emergency Management.

Bills must pass their policy committees by this Friday, March 25th, so we anticipate another busy week in Olympia. Cutoff from fiscal committees is April 1st.

Areas of Primary Focus

Budget: The March 17th revenue forecast was down another \$80 million for the current biennium and \$698 million for the 2011-13 biennium. The latest forecast puts the deficit for the 2011-13 biennium in excess of \$5 billion. The House may release their proposed operating budget this coming week, but the latest forecast may cause a delay. The House transportation budget is scheduled to be released on Monday.

Transit Funding: The short-term transit funding bill, [ESSB 5457](#), had a public hearing in the House Transportation Committee on Tuesday. Councilmember Sally Clark testified in support on behalf of the City. In its current form, the bill is limited to King County only, and would require a 2/3 vote of the King County Council or voter approval before implementation.

Fiscal Flexibility: [HB 1953](#), concerning county and city additional real estate excise tax authority, is scheduled for a hearing in the Senate Government Operations and Tribal Relations & Elections Committee on Monday, March 21st, and an executive session on Thursday, March 24th. Seattle supports this legislation because it will provide cities and counties the flexibility to use real estate excise taxes for the maintenance and operation of capital facilities and additional capital projects.

Criminal Justice: [SSB 5545](#) was heard on March 15th in the House Public Safety & Emergency Preparedness Committee. It is scheduled for executive session on Tuesday, March 22nd. Sergeant Ryan Long of SPD testified in support. Seattle supports this legislation because it would give law enforcement additional tools to fight human trafficking and sexual exploitation of children by allowing law enforcement to intercept and record a conversation with the consent of only one party when there is probable cause to believe the conversation involves the commercial sexual abuse of a minor. SPD testified in support of this legislation. The House companion bill, [SHB 1874](#), prime-sponsored by Rep. Mary Lou Dickerson, is scheduled for a hearing on Tuesday, March 22nd, in the Senate Human Services & Corrections Committee.

Education: [E2SSHB 1776](#), prime-sponsored by Representative David Frockt, would establish a unified set of licensing requirements for child care centers operated in public buildings. Seattle supports this legislation, which had a hearing on March 18th in the Senate Human Services & Corrections Committee. In addition, two bills Seattle supports, [2SHB 1510](#) and [2SSB 5427](#), regarding an assessment of students in state-funded full-day kindergarten, are moving through the House and Senate. The Senate version had a hearing in the House Education Committee on March 17th, and is scheduled for executive session on Thursday, March 24th. The House version is scheduled for a hearing in the Senate Early Learning & K-12 Education Committee on Wednesday, March 23rd.

Other Issues of Significant Interest

Vulnerable Roadway Users: Seattle supports this legislation because it creates a new infraction and penalties for drivers who injure vulnerable roadway users. The Senate version, [SSB 5326](#), passed out of the House Judiciary Committee on March 17th. The House version, [SHB 1339](#), had a hearing on March 15th in the Senate Judiciary Committee.

Speed Limits: [SSB 1217](#) would simplify the process for cities and towns to lower speed limits on city streets. Seattle supports this legislation. It had a hearing on March 14th in the Senate Transportation Committee.

Limousine Regulations: [SSB 5502](#) would provide the City of Seattle with the authority and additional resources to enforce limousine laws. Denise Movius testified in support of the bill on behalf of the City at a public hearing in the House Transportation Committee on March 16th. Currently, there are several locations in Seattle where some limousine operators are operating more like taxicabs than limousines, and the City does not have the legal authority to take action.

Taxicab Lease Rate Caps: [ESHB 1367](#) would make all taxicab, limousine, and for-hire vehicle businesses and operators subject to mandatory industrial insurance. Seattle supports the underlying legislation, but we opposed three sections in the original bill that would have limited the City's ability to cap the lease rates taxi owners charge taxi operators and the consumer rates charged by taxis. We use our current authority to help ensure that taxi drivers earn a living

wage and that taxis are affordable. Representative David Frockt offered a floor amendment to address our concerns, it was adopted, and the bill subsequently passed the House unanimously. The bill has a hearing in the Senate Labor and Commerce & Consumer Protection Committee on Monday, March 21st, and Denise Movius will testify on behalf of the City.

Private Carriers in Transit Lanes: [SSB 5836](#) would allow private transportation carriers like employer shuttles and aeroporters to use transit only lanes. While Seattle supports providing incentives for people to use these forms of transit, we are concerned the current version of the bill will limit our ability to ensure the smooth and timely flow of public transit in transit only lanes. We are working with stakeholders to develop mutually agreeable amendments that address our concerns. The bill had a hearing in the House Transportation Committee on March 14th.

State Environmental Policy Act (SEPA): Legislation to modernize SEPA, [2SHB 1952](#), was referred to the Senate Environment, Water & Energy Committee. It was originally scheduled for a public hearing next week, but may be pulled from the calendar. Seattle has been actively participating in a broad stakeholder process focused on updating SEPA, and the version of the bill that passed out of the House reflects many of the principles the City has been supporting. We are looking forward to continuing to work on this legislation as it moves forward. We are also pleased that the version of the bill that passed the House includes an exemption for farmer's markets.

Public Records: [SHB 1899](#), which relates to penalties for public records violations, had a public hearing on March 17th before the Senate Government Operations, Tribal Relations & Elections Committee. The bill gives a range of monetary penalties that may be assessed, from a minimum of \$0 up to \$100 per day. The range under current law is \$5-\$100 per day, so having an option of \$0 is a significant step forward. Seattle supports this legislation.

Regulating Underground Utilities: [E2SHB 1634](#) aims to improve pipeline safety in Washington by changing dig law practices. The bill had a hearing on Tuesday, March 15th, in the Senate Environment, Water & Energy Committee. Bob Hennessey from SPU testified in opposition on behalf of the City. A number of other cities and stakeholders testified in opposition or with concerns on several provisions in the bill. Specifically, the bill will require a change in practice for marking or identifying certain sewer and water lines, and these provisions would not significantly reduce water and sewer line disruptions, but would result in a significant workload increase for SPU. We will continue to work on the legislation and try to make improvements.

Phosphorus in Fertilizer: [ESHB 1489](#), which would limit the use of fertilizer containing phosphorus in order to protect water, continues to work its way through the Senate. It has already had a public hearing, passed to the Rules Committee, and been placed on the 2nd Reading Calendar.

Houseboats: [SHB 1783](#), which would exempt houseboats from certain land use regulations, had a hearing in the Senate Natural Resources & Marine Waters Committee on March 17th. Margaret Glowacki from DPD testified with concerns about the bill in its current form, but indicated that Seattle has been working on compromise language with houseboat advocates and interested state agencies. Negotiations continue and we are hopeful that a compromise amendment will be adopted when the bill moves out of committee.

Cottage Food Operations: [ESSB 5748](#), which enacts labeling requirements on cottage food operations and also exempts them from certain regulations and permitting laws, is scheduled for executive session on March 22nd. Seattle supports this and other legislation that would allow value-added home processing and selling of low-risk food items.

Mutual Aid: Barb Graff, Director of Emergency Management, testified in support of [SHB 1585](#) at a public hearing on March 14th in the Senate Government Operations, Tribal Relations & Elections Committee. This bill would allow local governments to provide aid when another city or county in Washington has experienced an emergency and requests assistance, and it was passed to the Rules Committee on March 18th. [ESHB 1406](#), establishing the intrastate building safety mutual aid system, also had a public hearing in the Senate Government Operations and Tribal Relations & Elections Committee on March 14th, and was passed to the Rules Committee on March 18th. Seattle supports efforts to allow this type of coordinated assistance and is supporting both of these House bills as they move through the Senate.

Flood Control District: [ESB 5638](#) and [EHB 1969](#) would exempt the King County Flood Control District from certain limitations on regular property tax levies. Seattle supports this legislation because a portion of the property taxes that would be collected if this bill passes are slated to help fund the seawall replacement and other critical projects. The House version is scheduled for a public hearing in the Senate Ways & Means Committee on March 21st, and for executive session on March 24th.

Medical Cannabis: [E2SSB 5073](#), which clarifies laws surrounding the medical use of cannabis, had a hearing on March 14th in the House Health Care & Wellness Committee. John Schochet from the City Attorney's office testified in support of the bill on behalf of the City and suggested a number of amendments that would improve the bill. Seattle supports this legislation and sent a joint letter from the Mayor, all nine Councilmembers, and the City Attorney. The bill is scheduled for executive session on March 21st.

Stadium Taxes: [SHB 1997](#), providing economic development by funding tourism promotion, workforce housing, art and heritage programs, and community development awaits a hearing in the Senate Ways & Means Committee. A more limited version of the bill focused on Arts & Heritage, [SSB 5834](#), had a public hearing in the House Ways & Means on March 14th and awaits committee action.

Looking Ahead

This will be a very busy week in Olympia. Both the House and Senate will be focused on Committee work as each chamber considers bills from the opposite house in advance of policy committee cutoff on March 25th. The City will be involved in several hearings throughout the week, including hearings on for-hire vehicles, police investigations of commercial sexual abuse of a minor, and many more key issues. We will also continue to work to find resolution on several bills that the City still has concerns with, including the dig law bill, private carriers in transit lanes, and the houseboats legislation. Finally, we will prepare for the release of the House operating, transportation, and capital budgets.